

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

Cr. MP(M) No. 70 of 2015.

Decided on: 30th January, 2015.

Mukesh Kumar

.....Petitioner.

Versus

State of H.P.

.....Respondent.

Coram

The Hon'ble Mr. Justice Dharam Chand Chaudhary, Judge.

Whether approved for reporting?¹No.

For the petitioner : Mr. Suresh Kumar Thakur, Advocate.

For the respondent : Mr. Ashok Chaudhary and Mr. Virender Verma, Additional Advocates General. ASI Yoginder Pal, Police Station, Baijnath is also present.

Dharam Chand Chaudhary, J. (oral).

Heard for some time. No doubt, the accused-petitioner has based his claim for grant of bail on the affidavit of Smt. Subhadhra Devi, mother of the prosecutrix, the complainant Annexure P-1, however, on instructions, learned Counsel seeks permission to withdraw this petition, at this stage because the Challan in the matter stands filed and the case is now fixed in the Court of learned Sessions Judge, Kangra at Dharamshala on 4th March, 2015 for consideration of charge. Learned Counsel further submits that the accused-petitioner would be content in case a direction is

¹ Whether reporters of Local Papers may be allowed to see the judgment? Yes.

issued to learned trial Court to frame the charge and record the statements of the material prosecution witnesses, i.e., that of the prosecutrix and her mother Smt. Subhadhra Devi, the complainant. Permission, as sought, is granted. Consequently, the petition is dismissed as withdrawn.

2. Keeping in view the accused-petitioner is in custody for a period over one year, there shall be a direction to learned trial Court to frame the charge expeditiously and preferably on the date already fixed and also record the statements of the material prosecution witnesses, particularly that of the prosecutrix and her mother, the complainant thereafter at the earliest.

An authenticated copy to learned Sessions Judge, Kangra at Dharamshala for compliance.

January 30, 2015
(rc)

**(Dharam Chand Chaudhary),
Judge.**